

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

NORMAN N. SHELTON,	:
	:
Plaintiff	: No. 4:CV-11-0368
	:
vs.	: (Complaint Filed 02/25/11)
	:
	: (Judge Muir)
WARDEN BLEDSOE, <u>et al.</u> ,	:
	:
Defendants	:

ORDER

June 30, 2011

Background

Norman N. Shelton, an inmate confined in the United States Penitentiary, Lewisburg, Pennsylvania, filed the above captioned Bivens¹ action, pursuant to 28 U.S.C. § 1331. Presently before the court is plaintiff's third motion for appointment of counsel.(Doc. 48). For the reasons set forth below, the motion will be denied.

Previously by orders dated March 24, 2011 and June 29, 2011, this court denied similar motions for appointment counsel (Docs. 13, 52). Those orders also provided that if future

2. Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics, 403 U.S. 388, 397 (1971).

proceedings demonstrated the need for counsel, plaintiff's motion would be reconsidered. Since the entry of those orders, Shelton has continued to demonstrate a reasonable ability to litigate this action pro se. Furthermore, his latest motions fail to set forth sufficient special circumstances or factors which would warrant the appointment of counsel. See Tabron v. Grace, 6 F.3d 147, 153, 155-157 (3d Cir. 1993).

IT IS HEREBY ORDERED THAT plaintiff's third motion for appointment of counsel (Doc. 48) is **DENIED**.

s/Malcolm Muir

MUIR

United States District Judge